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ASSEMBLY AMENDMENT 1, TO ASSEMBLY SUBSTITUTE AMENDMENT 4, TO 2009 ASSEMBLY RESOLUTION 14

April 20, 2010 - Offered by Representative Wood.

- 1 At the locations indicated, amend the substitute amendment as follows:
- **1.** Page 1, line 3: after "21" insert "and the censure of Stephen Nass, a representative from the 31st Assembly District, in accordance with article IV, section 8, of the Wisconsin Constitution".
- **2.** Page 4, line 16: delete "21." and substitute "21; and".
- 4 **3.** Page 4, line 16: after that line insert:
- 5 "Be it further resolved, That:
- Whereas, Representative Nass claimed his home address as W8948 Willis Ray
- Road in Whitewater, Wisconsin, reporting mileage between 43 to 52 miles since 1990
- 8 to the state capitol; and

1	Whereas, members of the Wisconsin state assembly complete their own
2	certificates of mileage pursuant to sections 20.765 (1) (a) and 13.123 (1) or (2) of the
3	statutes; and
4	Whereas, it is a Class I felony under section $946.12(4)$ of the statutes to make
5	false entries on this form; and
6	Whereas, section $13.08\ (2)$ of the statutes authorizes reimbursement for up to
7	one round trip per week of transportation expenses actually incurred; and
8	Whereas, Wisconsin law regulating mileage claims for state officials requires
9	that the most direct route be claimed; and
10	Whereas, Representative Nass claimed a distance ranging from 43 to 52 miles
11	since 1990 to the state capitol; and
12	Whereas, the American Automobile Association and MapQuest calculate the
13	true distance as 43 miles; and
14	Whereas, the American Automobile Association was not able to complete a
15	direct route between the two locations that totaled 52 miles; and
16	Whereas, federal tax law requires legislators to live at least 50 miles away from
17	the capitol to claim expenses for any day the legislature is in session; and
18	Whereas, Representative Nass claimed 174 days for this purpose of federal law
19	while serving in the legislature in 1999; and
20	Whereas, this provision of federal law, found in section 162 (h) of the Internal
21	Revenue Code, allows legislators to write off \$98 per day; and
22	Whereas, the state of Wisconsin reimbursed Representative Nass \$55 per day
23	for this purpose; and
24	Whereas, Representative Nass was left with an unreimbursed expense of \$42
25	for each day the legislature was in session; and

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1	Whereas, by claiming this expense, Representative Nass would have had a tax
2	deduction worth \$7,308, lowering his state and federal taxes by approximately
3	\$2,000; and
4	Whereas, Representative Nass has cheated taxpayers of a over \$2000; and
5	Whereas, a violation of this Wisconsin law requires reimbursement of the
6	amount, including 12 percent interest, resulting in over \$20,000 stolen from the
7	people of Wisconsin; and
8	Whereas, Representative Nass has himself brought disrepute to the Wisconsin
9	state assembly by failing to accept paternal responsibility for his out-of-wedlock
10	daughter for the first three years of her life; and
11	Whereas, Representative Nass brought further disgrace to the Wisconsin state
12	assembly by going to court to get his taxpayer-financed per diem excluded from
13	calculating his child support payments; now, therefore, be it
14	Resolved by the assembly, That Representative Stephen Nass is hereby
15	censured by the Wisconsin state assembly, in accordance with article IV, section 8,
16	of the Wisconsin Constitution.".

(END)